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Attorneys for the United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CARLOS ZUNIGA,

Defendant.

No. CR 11-00544 HRL

STIPULATION AND ~~PROPOSED~~
ORDER EXCLUDING TIME UNDER THE
SPEEDY TRIAL ACT

The parties hereby request that the Court exclude time under the Speedy Trial Act in the above captioned case pursuant to 18 U.S.C. § 3161(h)(2) from September 8, 2011 to November 3, 2011. The parties agree that pretrial diversion is an appropriate disposition in this matter, and the defendant has been referred to Pretrial Services for an intake evaluation. Pretrial Services will evaluate the defendant and contact the parties if they accept him into a diversion program. Accordingly, the parties request an exclusion of time in order to allow Pretrial Services to

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STIPULATION AND [PROPOSED] ORDER TO EXCLUDE TIME
CR 11-00544 HRL

FILED

SEP 12 2011

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

1 conduct their investigation. If the defendant is accepted, the Government will immediately notify
2 the Court to vacate the hearing date on November 3, 2011.

3 SO STIPULATED.

4 MELINDA HAAG
5 United States Attorney

6 DATED: 9/9/11

7 /s/
8 SUSAN KNIGHT
9 Assistant United States Attorney

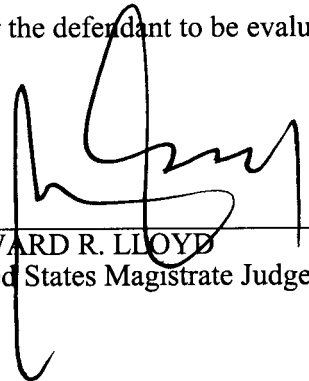
10 DATED: 9/9/11

11 /s/
12 VARELL FULLER
13 Assistant Federal Public Defender

14 ORDER

15 Based on the stipulation of the parties and for good cause shown, IT IS HEREBY
16 ORDERED that time is excluded under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(2)
17 from September 8, 2011 to November 3, 2011 in order for the defendant to be evaluated by
18 Pretrial Services for participation in a diversion program.

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21 DATED: 9/12/11

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23 HOWARD R. LLOYD
24 United States Magistrate Judge
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